

REMARKS

In the Office Action mailed August 19, 2009 the Office noted that claims 11, 15-18 and 22-25 were pending and rejected claims 11, 15-18 and 22-25. Claims 11, 18 and 25 have been amended, no claims have been canceled, and, thus, in view of the foregoing claims 11, 15-18 and 22-25 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

CLAIM OBJECTION

Claim 25 stands objected to for informalities. In particular, the Office asserts that the claim has a grammatical error. The Applicant has amended the claim to overcome the rejection. It is submitted that no new matter is believed to have been added by the amendment of the claim.

Withdrawal of the objection is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 11, 15-18 and 22-25 stand rejected under 35 U.S.C. § 102(b) as being obvious over Endo, U.S. Patent No. 5,902,349 in view of Ozawa JP Patent Publication 2000-193478. The Applicant respectfully disagrees and traverses the rejection with an argument and amendment.

Endo discusses that when a vehicle is in an off route condition, rectilinear distances from a vehicle position (Pc) to

nodes on the guide route (= $D1$) and route distances from the nodes to the destination along the guide route (= $D2$) are calculated, One of the nodes which exhibits the lowest one of the sums is determined as a return point, and a route from the vehicle position to the return point is searched for (see Endo Abstract),

As can be seen, the vehicle position (P_c) is fixed when $D1$ is calculated. Figure 1 below depicts how the distances are calculated in Endo.

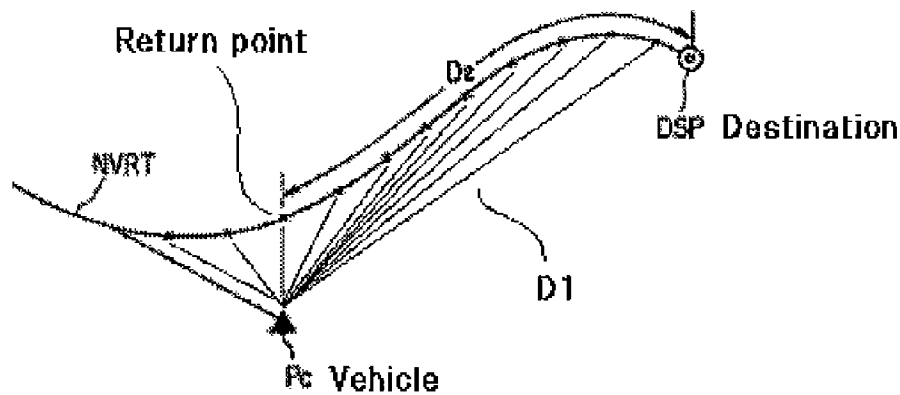


Figure 1 Distances in the Endo reference

Ozawa discusses that when a vehicle is out of a route, a reference point from which the vehicle is moving away is considered to have already been passed by the vehicle; then a route is searched again. When distances between the vehicle and the reference point are calculated, the reference point is fixed (see Figure 2 below).

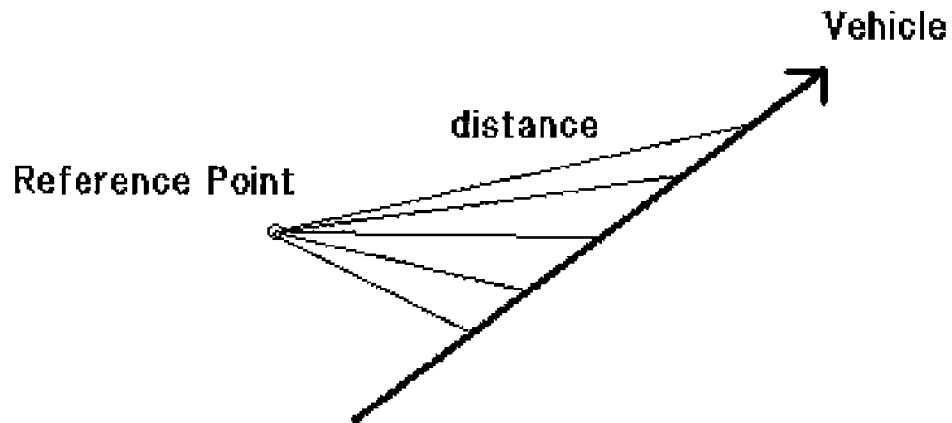


Figure 2 Distances in the Ozawa reference

As can be seen, according to the Endo reference, distance D1 is calculated with the location of the vehicle fixed. According to Ozawa, distances are calculated with the reference point fixed. Thus, when the two references are combined, it becomes unclear how to decide whether a point is to be passed or not.

Further, the Applicant believes that both references fail to disclose the features of "second distance history" and "the second distance is a decreasing trend."

While the Applicant believes that the claims are allowable, in order to advance prosecution, the Applicant has amended claim 11 to further recite "the route judging unit judges whether the first planned route point is passed when the moving object deviates from the guided route more than predetermine times." Support for the amendment may be found, for example, in Fig. 5, step S501. The Applicant submits that no new matter is believed to have been added by the amendment of the claim.

Claims 18 and 25 have been amended in a manner consistent with the amendment to claim 11. For at least the reasons discussed above, Endo and Ozawa, taken separately or in combination, fail to render obvious claims 11, 18 and 25 and the claims dependent therefrom.

Withdrawal of the rejections is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 11, 15-18 and 22-25 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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